

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT EUBANKS,

Plaintiff,

v.

CITY OF GRAND RAPIDS and ADAM BAYLIS,

Defendants.

Case No. 1:05-cv-620

HONORABLE PAUL L. MALONEY
Chief United States District Judge

Order

Denying without Prejudice as Premature the Plaintiff's Motion *In Limine*

On October 23, 2008, plaintiff Eubanks filed a motion *in limine*, anticipating the final pretrial conference on October 27, 2008. A pretrial conference was indeed held on October 27, 2008, but another, *final* pretrial conference was scheduled for April 20, 2009, and jury trial was scheduled to commence on May 18, 2009.

In April 2009, on the eve of the final pretrial conference, plaintiff Eubanks moved to adjourn the trial *sine die* to afford the parties time to engage in the court's Case Evaluation program and try to reach a settlement. *See* Doc. No. 89. The court granted the motion and referred to the parties to case evaluation, and on May 1, 2009 the three-member case evaluation panel was selected. *See* Doc. Nos. 91-93. In August 2009, the court granted the parties' motion to extend the time for completion of alternative dispute resolution ("ADR") until October 2, 2009.

Accordingly, the plaintiff's motion *in limine* [document #69] is **DENIED without**

prejudice.

If the parties do not reach a settlement and trial is scheduled, the plaintiff **MAY** file appropriate motions *in limine* at that time.

This is not a final order.

IT IS SO ORDERED this 14th day of September 2009.

/s/ Paul L. Maloney
Honorable Paul L. Maloney
Chief United States District Judge